

formulation removing chloroform as an ingredient.

(e) The Commissioner will initiate action to withdraw approval of a new animal drug application or terminate an INAD notice in accordance with the applicable provisions of section 512 of the act and parts 511 and 514 of this chapter upon failure of a holder of an approved new animal drug application or sponsor of an INAD notice to comply with the provisions of paragraph (c) or (d) of this section.

(f) Any drug product intended for animal use containing chloroform as an ingredient that is introduced or delivered for introduction into interstate commerce following the effective date of this regulation will be subject to regulatory action under sections 301, 501, 502, and 512 of the act.

[42 FR 44226, Sept. 2, 1977, as amended at 60 FR 38480, July 27, 1995]

§ 510.440 Injectable iron preparations.

There has been an increasing interest in the use of injectable iron compounds for the prevention or treatment of iron-deficiency anemia in animals. Although some such preparations have been shown to be safe, such articles are regarded as new animal drugs within the meaning of the Federal Food, Drug, and Cosmetic Act. Accordingly, an approved new animal drug application is required prior to the marketing of such preparations within the jurisdiction of the act. In addition to the need for demonstrating the safety of such articles, the labeling of such preparations should not only recommend appropriate dosages of iron but also declare the amount (in milligrams) of available iron (Fe) per milliliter of the subject product.

§ 510.455 New animal drug requirements regarding free-choice administration in feeds.

(a) For the purpose of this section, free-choice administration of animal drugs in feeds involves feeds that are placed in feeding or grazing areas and are not intended to be consumed fully at a single feeding or to constitute the entire diet of the animal. Such methods of administering drugs include, but are not limited to, medicated blocks (agglomerated feed compressed or ren-

dered into a solid mass and cohesive enough to hold its form), mineral mixes, and liquid feed tank supplements ("lick tank" supplements) containing one or more animal drugs. The manufacture of medicated free-choice feeds is subject to the current good manufacturing practice regulations for medicated feeds.

(b) The Food and Drug Administration has concluded that there are questions about the safety and effectiveness of drugs when administered in free-choice feeds. Therefore, such methods of administration cause the drugs so administered to be new animal drugs, for which approved new animal drug applications (NADA's) are required. (See § 510.3(i)). In addition, the exemption from the requirement of an approved medicated feed application provided in § 558.4 of this chapter does not apply to any free-choice medicated feed.

(c) An NADA or supplemental NADA for products for free-choice feeding submitted for approval under section 512(b) of the act shall provide for:

(1) The manufacture of a finished product for the free-choice administration of a new animal drug. Such an approval will not provide a basis upon which an application can be approved under section 512(m) of the act; or

(2) The manufacture of a Type A medicated article for use in the subsequent manufacture of a free-choice medicated feed. The approved NADA will provide a basis upon which an application can be approved under section 512(m) of the act. Data for a specific free-choice product may, if desired, be generated and submitted to the Food and Drug Administration by the manufacturer of the free-choice feed in the form of a master file which can be referenced in the NADA or supplemental NADA submitted by the new animal drug sponsor.

(d) Approval of the NADA or supplemental NADA submitted under paragraph (c) of this section will be reflected in a regulation in part 558 of this chapter published under section 512(i) of the act. The regulation will either state the formulation of the approved free-choice product or specify the specific free-choice administration products in which the drug is approved

for use. If the approval is for a Type A medicated article, the regulation in part 558 of this chapter will indicate that each use of the Type A medicated article in a free-choice product must be the subject of an approved supplemental NADA.

(e) An application submitted under section 512(m) of the act to provide for manufacture of a specific free-choice feed from an approved Type A medicated article will be approved if, in addition to the information required by the medicated feed application, it includes a reference to the exact formula of the product to be manufactured as follows:

(1) The formula is the same as the one published in the new animal drug regulations; or

(2) The data in a master file have been referenced in an NADA or supplemental NADA; and

(3) Use of the Type A medicated article in the specific formulation has been approved on the basis that:

(i) The formula is the same as the one for which acceptable data have been submitted in a master file by the medicated feed applicant; or

(ii) The medicated feed applicant has written authority to reference a master file that has acceptable data for the formula in question.

(Approved by the Office of Management and Budget under control number 0910-0205)

[51 FR 19827, June 3, 1986]

Subpart F—Animal Use Exemptions From Certification and Labeling Requirements

§ 510.515 Animal feeds bearing or containing new animal drugs subject to the provisions of section 512(n) of the act.

Animal feeds that bear or contain penicillin, chlortetracycline, feed grade zinc bacitracin, and bacitracin methylene disalicylate, with or without added suitable nutritive ingredients are exempt from the certification requirements of section 512 of the act provided they are the subject of and in compliance with regulations for their use in this subchapter E, part 558 of this chapter, or any one of the paragraphs of this section:

(a) Where indicated in paragraph (b) of this section it is manufactured with or without one, but only one, of the following ingredients in a quantity, by weight of feed, as hereinafter indicated:

(1) Arsanilic acid: Not less than 0.005 percent and not more than 0.01 percent.

(2) Sodium arsanilate: Not less than 0.005 percent and not more than 0.01 percent.

(3) 3-Nitro-4-hydroxyphenylarsonic acid: Not less than 0.0025 percent and not more than 0.0075 percent except in chicken or turkey feed which shall contain not less than 0.0025 percent and not more than 0.005 percent.

(b) It is intended for use in any one of the following conditions set forth in this paragraph:

(1)—(6) [Reserved]

(7)(i) It is intended for use solely as a treatment for complicated, chronic respiratory disease (air-sac infection), infectious sinusitis, blue comb (nonspecific infectious enteritis, mud fever), and hexamitiasis in poultry, and/or bacterial swine enteritis; its labeling contains adequate directions and warnings for such use; and it contains, per ton of feed, not less than 100 grams of chlortetracycline, or oxytetracycline, or a combination of such drugs.

(a) When intended for the uses specified in this paragraph (b)(7)(i), it may also contain, in the amount specified, one, but only one, of the ingredients prescribed by paragraph (a) of this section. If it is intended for use solely in poultry, it may contain 0.1 percent of para-aminobenzoic acid or the sodium or potassium salt of para-aminobenzoic acid.

(b) If it is intended for use solely in the treatment of the diseases of chickens described in this paragraph (b)(7)(i), it contains, per ton of feed, not less than 100 grams and not more than 200 grams of chlortetracycline and it contains not less than 0.4 percent and not more than 0.8 percent of dietary calcium, then representations may be made in its labeling to the effect that the reduced amount of calcium aids in increasing the concentrations of the antibiotic in the blood of treated birds; the labeling of such medicated feed